REPRESENTATIVE CHRISTOPHER H. SMITH



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Government-Opposition Relations in Uzbekistan: Dashed Hopes

Since 1992, Uzbekistan has been one of the most repressive former Soviet republics, jailing political activists, maintaining tight censorship, cracking down on dissidents, and barring genuine political pluralism. Nevertheless, in September 1996, the OSCE's Warsawbased Office of Democratic Institutions and Human Rights (ODIHR) organized a conference on National Human Rights Institutions in Tashkent. By that time, there were reasons to hope the conference would promote genuine improvements already underway. In 1995 and 1996, Uzbek officials had begun trying to burnish their

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Slobodan Pavlovic, Dušan Mijic, Senator D'Amato, Dusan Vasilevic and Daliborka Uljarevic discuss Serbia

Serb Student Opposition Leaders Meet with Chairman

On January 21, Commission Chairman Sen. Alfonse D'Amato (R-C-NY) met with Dusan Vasiljevic and Daliborka Uljarevic, spokespersons for the Serbian student organization Student Protest '96-'97, the group most responsible for the recent student demonstrations in Belgrade. Mr. D'Amato asked the students, "What can the U.S. Government do—in a concrete way—to help move Serbia toward democracy? I want to find out from you, the people on the front line, what should be done. This is a brutal test of your resolve by Mr. Milosevic. He will be violent—this is just the beginning."

The student Serbian opposition leaders stated that they are "fighting for democracy, for rule of law under our constitution—which we don't have. Our demand for acceptance and implementation of last November's election results is only a short-term goal. We must see the establishment of a free and open Serbian media, the creation of an open and free university and the government's acknowledgment of our full human rights as recognized by the international community."

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The Commission on Security and Cooperation in Europe, by law, monitors and encourages progress in implementing the provisions of the Helsinki Accords. The Commission, created in 1976, is made up of nine Senators, nine Representatives, and one official each from the Departments of State, Defense, and Commerce. For more information, please call (202) 225-1901 or visit the Commission's Web site at "http://www.house.gov/csce".

OSCE Urges Belarus to Respect Democracy

At its February 7 Permanent Council meeting in Vienna, the OSCE reiterated its call for Belarus to restore democracy. Earlier that day, in a meeting in Copenhagen with Belarus' Foreign Minister Ivan Antonovic, OSCE Chairman-in-office Danish Foreign Minister Niels Helveg Petersen renewed an offer to send a senior level representative to Belarus to assess key issues such as democratic rights, freedom of the press, freedom of expression and movement.

At the Permanent Council meeting, the U.S. supported high-level OSCE attention to Belarus, and outlined a just-completed U.S. policy review towards that country based on OSCE and Helsinki commitments, the conclusions of which Belarus and Russia criticized as being unduly harsh.

The recently released U.S. State Department's Country Reports on Human Rights Practices for 1996 report on Belarus stated that the "government's human rights record worsened significantly as the President continued to lead Belarus back toward Soviet-era authoritarian practices." The report criticized President Lukashenka's illegitimate November constitutional referendum as being "riddled with violations of democratic norms." At a January meeting at the Commission's Washington office, former Constitutional Court Chairman Valeriy Tikhinya, who resigned his post in December, characterized Lukashenka's constitution as a "legal Chornobyl"

noting the paradoxical situation in which there are now two constitutions—the de jure 1994 Belarusian constitution, and the de facto November 1996 Lukashenka constitution. The same duality holds true with respect to the two legislatures that currently exist in Belarus.

In January, the Credentials Committee to the OSCE Parliamentary Assembly's Standing Committee refused to accept credentials from the new (i.e. post-constitutional referendum) legislature. The Committee affirmed that "... any institution produced by a non-binding referendum, which had no legal basis, cannot be legally accepted by the OSCE Parliamentary Assembly" and recommended the continued recognition of the "old" parliament's delegation to the Parliamentary Assembly.

Meanwhile, in Belarus itself, there appear to be growing signs of disaffection with President Lukashenka's policies. On February 14, several thousand demonstrated against Lukashenka and his antidemocratic and pro-Russian policies. Approximately 40 demonstrators were reportedly arrested. In mid-February, members of the Belarusian Congress of Democratic Trade Unions picketed the Ministry of Justice to protest the ministry's refusal to register it as an organization. Also in mid-February, two opposition leaders were attacked in Minsk in separate incidents by unidentified assailants in what observers believe to be attempts at intimidation. Orest Deychakiwsky

Commission staff has continued to monitor the German Government's response to the activities of the Church of Scientology since its 1993 report, Human Rights and Democratization in Unified Germany, in which the Commission raised issues of German Government intolerance toward adherents of Scientology. Germany's treatment of Scientology raises issues under Helsinki principles, such as the freedom of speech and association, as well as the claim to protection under the freedom of religion principle currently challenged by the German Government.

The U.S. Department of State, in its Country Reports on Human Rights Practices for 1996, stated: "A sharp debate surrounds the activities of the Church of Scientology, whose members allege both [German] government-condoned and societal harassment, including expulsion from (or denial of permission to join) a

Germany's Treatment of Scientologists Raised

political party and loss of employment...During the year, the Church of Scientology came under increasing scrutiny by both [German] federal and state officials, who claim that its activities do not fall within the legal definition of a religious organization. Several cabinet officials criticized the organization." The Parliament, federal chancellery, and the state minister-presidents have begun to investigate Scientology's activities.

The State Department's report did note additional responses, such as an editorial from a former Minister of Justice arguing for more government restraint in dealing with Scientologists, and a report by the Ministry of Interior concluding that there was insufficient evidence to warrant surveillance of Scientologists. The Interior Ministry's report also reminded state governments that only economic factors may be considered in awarding public contracts. *Karen Lord

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Samuel G. Wise, 1929-1997

On January 21, Ambassador Samuel G. Wise, Director for International Policy for the Commission, passed away due to pancreatic cancer after nearly twenty years with the Agency. He was the longest-serving member of the Commission staff, as well as its most respected.

Born in Chicago, Illinois, and raised in Westchester County, New York, Mr. Wise entered active duty with the U.S. Marine Corps in 1946 where he served in China during the rescue of the 'thousand generals." After release from the Marines in 1948, he entered the University of Virginia, where he earned a B.A. in ForeignAffairs in 1951. He received a Masters in International Affairs from Columbia University in 1953, and then served in the U.S. Foreign Service from 1955-1981. His overseas assignments included: Palermo, Sicily; Noumea, New Caledonia; Moscow, USSR; Trieste, Italy; Prague, Czechoslovakia; and Rome, Italy.

Mr. Wise served on Commission staff from 1977-81, as Deputy Staff Director 1981-87, as Staff Director 1987-95, and in his latest position since 1995. While at the Commission, Mr. Wise served as Ambassador and deputy head of the U.S. Delegation to the Vienna Follow-up Meeting from 1986-89 and as deputy head of U.S. Delegation to the Helsinki Follow-up Meeting in 1992.

On February 6, Commission Chairman Sen. Alfonse D'Amato, (R-NY) placed the following in the Congressional Record:

"Mr. President:

"I rise today to do again something I have done many times in the past—to say good things about Sam Wise. Sam passed away during the early morning on Tuesday, January 21, 1997, after a short illness. Our thoughts and our prayers go out to his wife, Mary, and the rest of his family in this most difficult time.

"I first met Sam in 1981, when I came to the Senate as a freshman and joined the Commission on Security and Cooperation in Europe, which is better known as the Helsinki Commission. I have worked with him, traveled with him, relied upon him, trusted him as a staff member, a diplomat, and a friend.

"When I first served as the Helsinki Commission's Chairman, in 1985 and 1986, Sam was already the pillar of wisdom, the font of all Commission and CSCE knowledge, and the balance wheel of good judgment that kept things under control. At the Vienna CSCE Review Conference, which began under my Chairmanship, Sam became the deputy head of the U.S. delegation, and was awarded the personal rank of Ambassador by the President. It was an honor hard-earned and richly deserved.

"With the start of the 105th Congress, the Commission is suddenly and sadly lacking Sam's leadership, professionalism, and gravitas. The obituary published in The Washington Post on Thursday, January 23, 1997, summarizes the facts of his life. But it doesn't tell the story of the arduous travel, the late nights, the haggling

Wise, continued page 14

Wise, continued from page 13

over bracketed text, the personal integrity and ex-Marine toughness that made seasoned diplomats trust him and rely upon him and allowed him to close the deal when other people couldn't.

"The measure of his loss will test us. In life, he taught and led, and gave of himself unstintingly in the service of his country, and in the service of humanity. Retired from the Department of State in 1982, after serving with the Commission on detail since 1977, the year after the Commission's founding, he had his greatest impact on U.S. policy with the Commission. He subsequently served as the Commission's Staff Director, and later as its Director of International Policy.

"His skillful, steady hand helped guide the Helsinki

Accords from a contentious and little-known artifact of detente to a living, growing international process and organization that has brought much good to many people, and has helped build peace, prosperity, and security for the United States, our allies, and all of the people of Europe.

"His work with the Commission specifically advanced the cause of human rights to its highest level of achievement in international relations. During the Cold War, prison-

ers of conscience, refuseniks, persons whose families had been separated, the oppressed of all kinds, had a friend and a skillful ally in Sam. Many cases were resolved—among them those of Anatoly Scharansky and Yuri Orlov—and many families were reunited. We can make a list of individual people he helped, and every one of these cases in whose resolution he had a hand adds luster to his name.

"More importantly, in international meeting after international meeting, Sam did the hard work of diplomacy, out of the spotlight, helping bring together the U.S., Canada, and the nations of Europe to agree, word-by-painfully-negotiated-word, on commitments that made

human rights a legitimate issue in international relations, not one that an oppressive state could easily dismiss as outside interference in its internal affairs.

"This is hard work, building the foundation of human civilization. That's what Sam helped do. The modern Organization for Security and Cooperation in Europe, and especially the established human rights standards it embodies and advances, are a product, in larger part than the world knows, of his dedication, skill, tireless effort, and commitment to principle. While the world at large may little note his passing, those of us who know the Helsinki process and the demanding work of establishing and protecting human rights, we know we have lost one of the people who count. His achievements in life will serve as a lasting tribute to him, and will continue

to do good for his country, our friends, and humanity in general for many years to come.

"Nothing I can say, nothing anyone can do, can make up for his loss. We can all, however, take some comfort in his accomplishments in life, and rededicate ourselves to the service of our country and to the advancement of those causes we shared with him.

"Sam, I will miss you. God bless you and God speed you home to His care.

"Thank you, Mr. President."

Commission Co-Chairman Rep. Christopher H. Smith (R-NJ) placed the following into the Congressional Record on February 11:

"The Helsinki Commission mourns the recent death of its esteemed Director of International Policy, Ambassador Samuel G. Wise, Jr. He faithfully served his country through years in the Marine Corps, the U.S. Foreign Service, and the Commission on Security and Cooperation in Europe. I am privileged to have worked alongside him during his many years with the Commission, as he offered sage advice, well-reasoned insight and guidance based on years of experience in the diplomatic community. His appointment as Ambassador when

"his skillful, steady hand helped guide the helsinki accords from a contentious and little-known artifact of detente to a living, growing international process and organization..."

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he was Deputy Head of the U.S. Delegation to the 1986-89 Vienna Review Meeting was well deserved.

"Typical of Ambassador Wise's commitment to the work of the Helsinki Commission and the best national interests of the United States, he most recently served on the U.S. Delegation to the Vienna Review Conference of the Organization for Security and Cooperation in Europe held last November. He attended and offered timely and indispensable advice in drafting the Declaration of the OSCE Lisbon Summit held in early December. Ambassador Wise's participation in these international meetings were tireless and his contributions, highlighting the fundamental importance of human rights throughout the work of the OSCE, were significant and lasting.

"The numerous letters of condolences which have been received at the Helsinki Commission are indicative of the impact Ambassador Wise has had on the OSCE community. From diplomats, to human rights activists, to friends and colleagues, the effect of this one life has been eloquently chronicled. Some reminisced about their 'fond memories of his personality, professional expertise and intellectual brightness.' Others recognized his dedication 'to promote the goals of the United States and of the Commission, as stated in the Helsinki Accords and in other documents issued subsequently.' One noted that 'compassionate and engaged, Sam was the consummate Helsinki expert whose objectivity and capacity to get it right were unrivaled. Highly regarded by the entire OSCE community, his loss is irreplaceable.' Respected as 'a man of integrity and honored convictions' and remembered as a 'warm and compassionate human being, 'Ambassador Wise has admirers virtually around the globe.

"Both as a Commissioner and, most recently, as Chairman of the Helsinki Commission, I sought and appreciated very much the counsel which Sam provided. The combination of Sam's gentle spirit and his winsome manner proved effective in his dealings with Members of Congress and staff, as well as the Department of State and the diplomatic community. His insights, experience, sound advice and friendship will be sorely missed. My prayers are with his family as they grieve the loss of their husband and father."

The Members of the Helsinki Commission, the Commission staff, and Sam's friends around the world miss him deeply.

**Chadwick R. Gore

Serbia, from front page

Ljubiša Rakic, M.D., Ph.D., a former Yugoslav Minister in the 1992 Government of Milan Panic and currently not aligned with any political party, joined the meeting with the students. He pointed out that about seventy percent of city residents across Serbia support the opposition's efforts, with somewhat lower, but still significant, support in the countryside. Dr. Rakic suggested that a transitional government, established by mutual agreement between the opposition and the Milosevic regime, may provide an avenue toward a peaceful settlement of this dispute, without the bloodshed and terror into which the current situation may evolve. "This transitional government could hold free and fair elections for all political parties, and create a peaceful alternative for Milosevic to relinquish power," said Rakic.

D'Amato was forthright in asking, "How long can the government hold out, and if they do not give in, what do you think the international community should do? And at what point does the Army say, 'Enough'? It is important to hold prayer vigils with the Army and the leaders of the Serbian Orthodox Church, to submit petitions—these are the acts that will counter Milosevic. It will be a brutal test of your resolve."

Possible international actions discussed included:

- * strong diplomatic pressure on the regime to implement its international human rights responsibilities;
- * targeted sanctions against overseas assets of both the Government of Serbia and members of the elites around Milosevic—and, of course, Milosevic himself.
- * increased international support for strengthening the media within Serbia, coupled with increased Voice of America programming and television broadcasting.

It is important that these are done together to make clear the regime is the problem, not the Serbian people.

"I think the U.S. Government should make available assistance for these programs and enterprises. I will help you any way I can," said Senator D'Amato. "My only fear is that the evil of Milosevic will be underestimated. He will be violent. This is just the beginning. You have not seen what he will do. I fear for your well-being and safety, for you are true patriots."

Also in attendence were Obrad Kesic of the International Research & Exchanges Board; and, Dušan Mijic and Slobodan Pavlovic of Naša Borba, an independent political daily in Serbia.

Chadwick R. Gore



Dr. Alush Gashi and Bob Hand

Kosovo Turmoil Focus of Commission Briefing

The Commission held a public briefing on February 6 that addressed the issue of human rights in Kosovo. Testimony was presented by Dr. Alush Gashi of the Council for Defense of Human Rights and Freedoms, a leading human rights monitor and advocate in Kosovo, and former Dean of the Faculty of Medicine at the University of Pristina.

While ethnic Albanians comprise the overwhelming majority of the population of Kosovo, the autonomy they previously exercised in the former Yugoslavia was replaced in 1989 and 1990 with direct Serbian control over Kosovo's affairs, along with a severely increased discrimination and repression. In response, Kosovar Albanians have proclaimed their independence from Serbia and established their own political and social institutions, which operate tenuously in the shadow of Serbian authority. The opportunities created by the end of the war in Bosnia-Herzegovina to resolve these differences have largely passed, and some Albanian activists now seem prepared to abandon the course of passive resistance to Serbian rule. Unfortunately, pronounced differences have arisen within the Kosovar Albanian leadership during the current political crisis in Serbia, and while the economic and political situation in neighboring Albania deteriorates. While these factors may combine, on the one hand, to increase the risk of renewed violence in the Balkans, at the same time they may create the necessary environment for the situation to improve.

Dr. Gashi stated that the situation in Kosovo has worsened in the past year due to Serbian police brutality, which includes harassment, arbitrary arrest, beatings and torture. In 1996, 14 Albanians were killed while in Serbian police custody. The "financial police" have been known to steal merchandise under the guise of stopping illegal commercial activity. Gashi added that the patience of many Albanians is wearing thin as the mistreatment of Albanian children by Serbian authorities, absence of the rule of law, denial of appropriate health care and education, and limits on freedom of speech, assembly and movement continue to be problems.

Noting the appearance of change in Belgrade—with a resurgent Serbian opposition openly challenging the rule of Serbian President Slobodan Milosevic—Gashi felt this was welcomed in Kosovo, and that the right to peaceful protest is supported. He asked, however, "Where has the Serbian opposition been while Kosovars struggled against the regime, and how do their positions regarding Kosovo differ from those currently in place? We hope that the Serbian opposition understands that they cannot live under a double standard. To ask for respect for their vote and the exercise of their political will in Serbia, while at the same time denying the political will of Albanians in the republic of Kosovo is hypocritical—and unacceptable."

Dr. Gashi felt that current U.S. policy toward Belgrade is becoming less dependent on Milosevic and hoped that, in light of recent arrests and killings, the United Kosovo, continued page 18

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Speaker of Romania's Parliament Ion Diaconescu, Senator D'Amato, and Ambassador Dan Mircea Geoana

Romania's Speaker, Other Parliament Members, Meet With Chairman

Commission Chairman Sen. Alfonse D'Amato (R-C-NY) met February 6 with key leaders of the Government of Romania, including: Ion Diaconescu, Speaker of the Romanian House of Deputies; Nicolae Galbeni, Chairman of the Romanian Select Intelligence Committee; Tudor Dunca, member of the Romanian Chamber of Deputies' International Relations Committee; and Dan Mircea Geoana, Romania's Ambassador to the United States, to discuss Romania's plans for the future, particularly those issues pertaining to admission to NATO.

Senator D'Amato started by saying, "I am truly pleased to have heard about Romania's recent positive economic developments. These are critically important to improving the image of your country. It is equally important that your government starts and continues to operate as a democracy—without reverting to the repression of the past. That picture is still to be painted.

"NATO admission is an entirely different matter, an issue much bigger than Romania or her concerns. I doubt that any decision will be made in July, but when the decision is made it will be made in consultation with our allies. It is important that Romania presses ahead with its campaign to join NATO; you'll get more support—but be patient."

"The Helsinki Commission will be holding hearings on NATO enlargement and will release our study well before the NATO Summit. Not everyone will be pleased with the results, but everyone will benefit regardless."

While Senator D'Amato did not commit to supporting Romania's admission at any particular point in the process, his message was clear: "A democratic Romania with a strong, reformed economy could well be a strategic asset to NATO."

Marlene Kaufmann

Maskhadov Wins Chechen Presidency

The results of the January 27 Chechen presidential election showed former Chechen military chief of staff Aslan Maskhadov capturing almost 60% of the vote in defeating his closest competitor, guerrilla leader Shamil Basaev, who garnered about 25% of the total. Former president Zelimkhan Yandarbiev, who ascended to the presidency following the death of president Djhokar Dudaev in April 1996, received just over 10%.

Elections to the 63-member Chechen parliament were held concurrently with the presidential contest, but the final composition of the parliament has not been de-

termined. Several districts were scheduled for second-round runoffs on February 15.

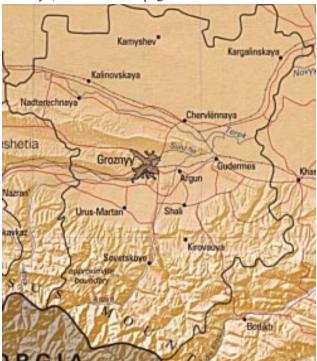
Despite heightened violence in Chechnya in the month prior to the elections—including the murder of six Red Cross volunteers in Novy Atagi—election day passed without violence. Attending the elections were seventy-two observers from the OSCE participating States under the aegis of the Warsaw-based Office of Democratic Institutions and Human Rights (ODIHR). OSCE Head-of-Mission Tim Guldimann reported that

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Kosovo, continued from page 16

States will continue to maintain an "outer wall" of sanctions on Serbia, the OSCE will seek to return monitors to the region and that other countries will follow the American lead in establishing official offices in Pristina. Finally, he asked that every member of the international community support peaceful dialogue regarding Kosovo, that they use whatever influence they have on Belgrade to bring the Serbian authorities to accept the political realities of Kosovo, concluding, "This insanity must be stopped!" Bob Hand, with contributions from Karin Ruhkala

Chechnya, continued from page 17



Chechnya

"the OSCE has concluded that these elections reflect the free will of the voters...and they form a legitimate base for the new authorities."

On February 4, Guldimann himself was declared persona non grata by the outgoing Yandarbiev administration and expelled from Chechnya for having stated publicly that Chechnya remains part of the Russian Federation. [Under the mandate for the OSCE Assistance Mission to Chechnya, Chechnya is referred to as a region within the framework of the Russian Federation]. While Guldimann was allowed to return in time to attend Maskhadov's inauguration on February 12, the Reuters news agency reported that Russian Federation authorities had refused entry visas to delegations from Lithuania, Latvia, Estonia, Turkey and Jordan. Flohn Finerty

Uzbekistan, continued from front page

country's abysmal image. President Islam Karimov has said publicly that political reforms were lagging behind economic changes, and the gap was damaging Uzbekistan's overall development prospects. But the shift may have been more closely linked to the leadership's apparent strategic decision to build a good working relationship with the United States. Under Karimov, Uzbekistan has participated in economic cooperation initiatives with Russia, but has resisted Moscow's pressure for greater political-military integration within the CIS, and moving closer to the United States would help Tashkent counter Russia's neo-imperial designs. Moreover, improved relations with the United States could help bolster Uzbekistan's economy and attract sorely needed investment. Blocking better relations, however, and spoiling the atmospherics of bilateral ties was Uzbekistan's reputation for repression. For example, Karimov had never had a meeting with an American president, reportedly because Washington wanted to convey displeasure over Uzbekistan's human rights record.

Accordingly, in January 1995, Uzbekistan's Minister of Justice visited Washington, and took part in a meeting with exiled opposition leaders. Uzbekistan's government created a human rights office in the parliament in February 1995, and a commission on constitutional and civil rights in May. In July 1995, the OSCE's ODIHR opened an office in Tashkent to monitor human rights. In March 1996, the BBC gained permission to broadcast on medium wave in Uzbekistan. One month later, Radio Free Europe/Radio Liberty opened an office in Tashkent. The Soros Foundation's Open Society Institute did the same in June, followed in July by Human Rights Watch/Helsinki.

These efforts bore fruit, when President Karimov got his long-desired meeting with President Clinton in June 1996. Throughout this period, President Karimov intensified his rhetorical campaign for democratization, stating publicly that active opposition parties, a Western-style press, and the safeguarding of citizens' rights are essential to Uzbekistan's development. Perhaps most noteworthy, Karimov told exiled opposition leader Abdumannob Polatov he could return to his homeland in safety. Polatov is chairman of the Human Rights Society of Uzbekistan (HRSU), and his primary purpose in returning was to oversee a new attempt to win the

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Abdumannob Polatov (center), Uzbek Human Rights Society Chairman, at the OSCE's September 1996

Conference on National Human Rights Institutions at Tashkent

Society's registration in the new, apparently more welcoming environment.

Karimov's invitation to Polatov seemed to signal a decision to register the HRSU, led by a credible but moderate opposition leader, as a means of launching a serious, ongoing dialogue with the opposition. More optimistic Western observers imagined that an institutionalized government-opposition dialogue would lead to greater freedom of speech, an accelerated program of democratization, and even the registration of opposition political parties in time to contest the scheduled 1999 parliamentary elections. Considering these positive changes, the U.S. Government decided to send to the Tashkent conference a delegation, headed by Stephen Coffey, Principal Deputy Assistant Secretary of State for Democracy, Labor and Human Rights. A representative of the Helsinki Commission also attended, as part of the U.S. Delegation.

September 11-13, OSCE-ODIHR Conference

The ostensible purpose of the conference was to exchange information about human rights institutions in various countries, especially the experience of ombudsman offices in Central and Eastern Europe. But a much more important gauge of Karimov's attitude towards human rights principles was the level of freedom of speech at the conference. In this respect, the Uzbeks' conduct of the proceedings undoubtedly marked a major step forward. They created an open environment, giving foreign and domestic NGOs every opportunity to

speak. Among those who did were Abdumannob Polatov; Shukrullo Mirsaidov, Uzbekistan's former Vice President and Prime Minister, and the leader of the opposition's Coordinating Center; and the sons of Islamic imams who had disappeared since 1992.

From the perspective of Western embassies and Uzbek opposition groups, the conference went better than anticipated. Genuinely independent NGOs, critical of the government, had the freedom to make whatever points they wanted publicly, for the first time in years. Government spokesmen defended their position, rebutting opposition arguments and statements, but generally did so without rancor, condescension or insults, and always stressed their commitment to continued democratization. Remarkably, Uzbek state radio interviewed Polatov during the conference, and then broadcast the interview without censoring any of his remarks. All in all, the hopeful prognoses before the conference seemed to have materialized and the groundwork seemed to have been laid for further progress.

Post-Conference Developments

Unfortunately, September 11-13, 1996, has turned out to be the high point of optimistic assessments and projections about Uzbekistan's democratization. Since the conference, Uzbekistan's authorities have reverted to form, cracking down on the opposition. Signs of the turnaround were obvious soon after the conference in scathing articles in the press. Most ominous was a diacontinued next page

tribe by Uzbekistan's Minister of Foreign Affairs, Abdulaziz Kamilov. He had been cautiously supportive of a government-opposition dialogue, but now attacked the opposition in Soviet-style language, calling them "people with excessive, uncalled for ambitions...[who] lived well under the Soviet regime and who managed to line their pockets at the beginning of the nineties when our independent state was only just standing on its own feet."

Kamilov's caustic references to the opposition unmistakably targeted Abdumannob Polatov, who was still in the country gathering the necessary documents for the Human Rights Society's registration application to the Ministry of Justice. Despite these ominous signs of a changing atmosphere, he submitted the registration petition on October 3. The Ministry of Justice had two months to consider and reply to the application.

ODIHR Roundtable on Media Issues in the Transition to Democracy

On October 5-6, 1996, ODIHR organized another meeting in Tashkent, a Roundtable on Media Issues in the Transition to Democracy. After the free exchange of views at the September forum, and the radio broadcast of an interview with Abdumannob Polatov, observers had expectantly looked for further signs at the October Roundtable of loosening media controls in Uzbekistan. One of the possible steps discussed with Uzbek officials in September, for instance, involved an announcement at the Roundtable that opposition perspectives would appear in the state-run media.

No such initiatives were announced or took place. In fact, the Uzbek organizers invited no representatives of media that were not wholly government-controlled and subject to rigorous censorship. The absence of any independent opposition representatives and the telling failure to invite Abdumannob Polatov, who was still in the country, pointed to the government's unwillingness to go beyond what had been achieved in September.

Shukrullo Mirsaidov

Far more troubling developments soon followed, as they indicated that the Karimov regime has not given up methods associated with the most repressive era of independent Uzbekistan. Since 1993, Shukrullo Mirsaidov and his family have endured harassment, including beatings, kidnapings, car bombings, dismissals from work and constant surveillance. His critical remarks at the September conference about the human rights situation

in Uzbekistan must have infuriated the authorities. On November 9, three armed assailants kidnaped Mirsaidov's 28-year old son. They beat him, and kept him blindfolded and handcuffed before releasing him twelve hours later—after threatening to kill him. Uzbek officials subsequently denied any involvement, telling American diplomats that Shukrullo Mirsaidov himself—to whom the same thing had happened in 1995—had organized his son's abduction and beating.

Soon afterwards, the government renewed long dormant efforts to confiscate the three homes in which Mirsaidov and his extended family live and evict them. Mirsaidov lost a court appeal on November 22, and was told he and his family would be forcibly removed if they did not leave by November 28. On that day, the authorities evicted the family from their apartments in Tashkent, moving them to an apartment on the outskirts of Tashkent, without a telephone.

Following so soon after the kidnaping of his son, the government's move against Mirsaidov apparently aimed to undercut his ability to function as an opposition activist and isolate him from political allies. According to the U.S. State Department's Country Reports on Human Rights Practices for 1996, during the trial, the district representative withdrew the action on grounds of insufficient evidence, but the prosecutor and judge refused to halt the trial. The court's conduct of the case demonstrates how independent the judicial system actually is in Uzbekistan, and how credible are President Karimov's claims to support separation of powers.

Law on Political Parties

In December 1996, Uzbekistan's parliament passed a new law on political parties. A draft law, published for public discussion in September, had maintained existing requirements, stipulating that prospective parties needed 3,000 members. By December, however, parliament had raised the minimum to 5,000 members distributed over at least eight of the country's administrative territories. Moreover, these 5,000 signatures must be handed in within one month after the party's constituent conference.

The increase from 3,000 to 5,000 as the minimum number of members for any political party indicates the regime's determination to retain tight control of the political process and to prevent the inclusion of new actors. In Uzbekistan's repressive atmosphere, it would have been hard enough to find 3,000 people willing to

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consider joining a party not wholly controlled by the government. Now, the likelihood that opposition parties might be registered in time for the scheduled 1999 parliamentary elections has dimmed considerably.

The Human Rights Society of Uzbekistan

Finally on January 3, 1997 the Ministry of Justice officially rejected the Society's application for registration. The written explanation for the rejection noted technical problems and irregularities in the application, such as the submission of excerpts from the September 1996 founding conference, as opposed to a more detailed original text. Also, one of the Society's members belongs to the Committee to Protect the Rights of the Individual, and Uzbek law forbids membership in two public associations. The Ministry also objected to the point in the Society's charter which proclaimed the Society's desire to prepare draft laws, and to comment on or criticize draft legislation, which, in the view of the Ministry, is presumably the exclusive prerogative of parliament.

Abdumannob Polatov has responded to the Ministry's objections, criticizing the resort to technical issues as grounds for rejecting the Society's application, but offering to bring the necessary documents into correspondence with the Ministry's apparently very stringent requirements. In a public statement, he wrote that "the Human Rights Society of Uzbekistan is ready for the next compromise... to keep open doors for a dialogue with the authorities of Uzbekistan and step by step liberalization of the country."

Conclusion

In March 1996, President Karimov promised ODIHR Director Audrey Glover the Human Rights Society of Uzbekistan would be registered, and the Uzbeks' handling of the September ODIHR conference provided grounds to believe him. But Karimov and his advisors evidently found the criticism of the government by opposition representatives in September too worrisome or offensive to move ahead towards democratization. Instead, since the conference, Karimov has launched a new round of repression, in which independent opposition leaders are discredited and hounded in the media, despite their willingness to maintain a dialogue with the government.

Unless Karimov rethinks this approach, the HRSU will not soon be registered. Nevertheless, the regime will undoubtedly continue to offer Tashkent as a venue for international human rights conferences. As Karimov

said, in a December 28 address, "The organization of public seminars with the participation of authoritative international organizations and experts has convincingly refuted all the inventions and labels that have been ascribed to us."

Tactics aside, democratization in Uzbekistan has reached a turning point. Karimov's exhortations to the media to be more imaginative and critical will produce nothing until he allows genuinely independent organizations to function and criticize his government, and permits independent media to do the same. Nor can his professions of dedication to human rights seem credible while Uzbekistan still has political prisoners, police still manufacture evidence to incriminate political activists, the dissemination of opposition publications remains forbidden, and individuals found reading them are subject to arrest.

Uzbek officials, preeminently President Karimov, justify arrested democratization in Uzbekistan by emphasizing the overriding priority of stability in a troubled region. But Uzbekistan has been "stable" since 1992, with no tolerated opposition activity whatsoever. It is unclear how much longer the country will have to be "stable" before the regime decides it is safe enough to permit some of the phenomena associated with the "instability" of the late 1980s and early 1990s: greater freedom of the press, freedom of association, freedom of assembly and independent human rights monitoring groups.

One important factor in this calculation is Western influence and expectations. Experience indicates that Tashkent is susceptible to pressure from Western governments, and perhaps NGOs. In the broader perspective, President Karimov's drive for better relations with the United States has unquestionably influenced his domestic policies. More specifically, intervention by Western capitals has occasionally led to the release of arrested or detained political activists. True, such pressure has its limitations: Uzbek authorities did not waver in their determination to evict Shukrullo Mirsaidov last November, despite calls by Western organizations to desist, and the widespread view that his eviction was politically motivated. Nevertheless, without Western prodding, the likelihood of genuine liberalization in Uzbekistan is slim. If, on the other hand, Western capitals continue to press, Karimov may grudgingly put into practice what he says about human rights.

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